

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

<p>JAMES ELMER SHAW,</p> <p>Plaintiff,</p> <p>vs.</p> <p>TROY PONTO, ASSOCIATE WARDEN, Individual and Official Capacity; AL MADSON, UNIT MANAGER, Individual and Official Capacity; SAM BADURE, UNIT MANAGER, Individual and Official Capacity; DERICK BIEBER, UNIT MANAGER, Individual and Official Capacity; JACOB GLASER, UNIT COORDINATOR, Individual and Official Capacity; MARY CARPENTER, M.D. (HEALTH SERVICES), Individual and Official Capacity; E. R. REGIER, M.D. (HEALTH SERVICES), Individual and Official Capacity; HEATHER BOWER, RN (HEALTH SERVICES), Individual and Official Capacity; and AUDREY SHEDD, HEAD RN, Individual and Official Capacity;</p> <p>Defendants.</p>	<p>4:15-CV-04121-KES</p> <p>ORDER ADOPTING REPORT AND RECOMMENDATION</p>
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Plaintiff, James Elmer Shaw, filed this lawsuit under 42 U.S.C. § 1983. The case was referred to Magistrate Judge Veronica Duffy under 28 U.S.C. § 636(b)(1)(B) for a report and recommendation on several motions, including Shaw's motion for a temporary restraining order/preliminary injunction (Docket 70).

On June 16, 2017, the magistrate judge submitted her report and recommended that Shaw's motion for a temporary restraining order/preliminary injunction (Docket 70) be denied.

Shaw was notified in the report and recommendation that he had 14 days to file objections to the report. Shaw requested additional time to file his objections to the report and recommendation. This court granted his request and set a new deadline of August 7, 2017. No objections were filed by August 7, 2017. Even though no objections were filed that would require de novo review under *Thompson v. Nix*, 897 F.2d 356 (8th Cir. 1990), the court reviewed the matter de novo and finds that the magistrate judge's report and recommendation is adopted in full. Therefore, it is

ORDERED that:

1. The report and recommendation of the magistrate judge (Docket 104) is adopted in full.
2. Shaw's motion for temporary restraining order/preliminary injunction (Docket 70) is DENIED.

Dated August 9, 2017.

BY THE COURT:

/s/ Karen E. Schreier
KAREN E. SCHREIER
UNITED STATES DISTRICT JUDGE